

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONALD J. SESSO,

Plaintiff,

v.

EAGLEVILLE HOSPITAL,

Defendant.

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CIVIL ACTION NO. 20-1603

ORDER

AND NOW, this 31st day of January, 2022, after considering the plaintiff's second amended complaint (Doc. No. 16), the motion to dismiss the second amended complaint filed by the defendant (Doc. No. 17), the plaintiff's response in opposition to the motion to dismiss (Doc. No. 18), the defendant's reply in support of the motion to dismiss (Doc. No. 21), and the arguments presented by counsel during oral argument held on June 4, 2021, it is hereby **ORDERED** as follows:

1. The motion to dismiss the second amended complaint (Doc. No. 17), insofar as the defendant asserts that the court should dismiss the plaintiff's False Claims Act claim in count II of the second amended complaint, is **GRANTED** and the plaintiff's False Claims Act claim in count II is **DISMISSED WITH PREJUDICE**;

2. The court **DECLINES** to exercise supplemental jurisdiction over the plaintiff's state-law claims in counts I and III of the second amended complaint and those claims are **DISMISSED WITHOUT PREJUDICE** to the plaintiff refiling them in the state court; and

3. The clerk of court is **DIRECTED** to **MARK** this case as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.